

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH  
OFFICE OF THE CLERK

**NOTICE FOR BANKRUPTCY CASE ON APPEAL FILED IN DISTRICT COURT**

Jubber et al	Bankruptcy Case No.	11-08001, 08-20105
vs.	District Case No.	2:14cv500 TS
ABM et al		

Date Appeal docketed in *District Court* July 8, 2014

A Notice of Appeal and Statement of Election have been filed with respect to a Judgment, Order or Decree of the United States Bankruptcy Court for the District of Utah (the “Bankruptcy Court”) in the above referenced bankruptcy case. Pursuant to DUCivR 83-7.9(c), the appeal was docketed in this Court, the *United States District Court for the District of Utah* (the “*District Court*”).

Counsel are to proceed as follows:

- A. Bankruptcy appeals to the *District Court* are governed by the following rules:
- (1) All applicable rules of the Local Rules of the *United States District Court for the District of Utah*, including DUCivR83-7.9;
  - (2) Rules 8001 through 8020 of the Federal Rules of Bankruptcy Procedure; and
  - (3) The following rules of the United States Bankruptcy Appellate Panel of the Tenth Circuit (as incorporated by DUCivR 83-7.9(a)): 8001-1, 8001-4, 8001-5, 8005-1, 8006-1, 8010-1(c)-(e), 8011-1, 8012-1(c), 8014-1, 8015-1, 8016-6, 8018-1, 8018-4, 8018-9, and 8018-10. (the “BAP” rules).

Copies of the Local Rules of the *District Court*, including DUCivR83-7.9, are available at: <http://www.utd.uscourts.gov/forms/2010rules.pdf> Copies of the applicable Federal Rules of Bankruptcy Procedure and BAP Rules are available at: [http://www.bap10.uscourts.gov/rules/local\\_rules.pdf](http://www.bap10.uscourts.gov/rules/local_rules.pdf)

- B. Pursuant to Fed. R. Bankr. P. 8006, the appellant shall file and serve a designation of items to be included in the record on appeal and a statement of issues presented. Such filings shall be filed with both the District Court as well as the Bankruptcy Court and served within 14 days after the filing the Notice of Appeal as provided by Fed. R. Bankr. P. 8001(a), entry of an order granting leave to appeal, or entry of an order disposing of the last timely motion outstanding of a type specified in Fed. R. Bankr. P. 8002(b), whichever is later.
- Pursuant to Fed. R. Bankr. P. 8006, the appellee may file and serve a designation of additional items to be included in the record on appeal with both the District Court as well as the Bankruptcy Court within 14 days after the service of the appellant's statement.

- C. Pursuant to DUCivR 83-7.9(c)(3), all documents related to the appeal shall hereafter be filed in the *District Court* case. All appropriate events can be found under "Appeals" in the District Court's CM/ECF.
- D. Pursuant to BAP Rule 8001-4, each party must file the following within 14 days after the appeal was docketed with the *District Court*: (1) Entry of Appearance; (2) Statement of Interested Parties; and (3) Statement Regarding Oral Argument.
- E. Pursuant to DuCivR 83-7.9(d)(a), the appellant's brief must be filed within 45 days after the date the Notice of Appeal was first docketed with the bankruptcy appellate panel, or this Court, whichever date is earlier.

Pursuant to Fed. R. Bankr. P. 8009(a)(2), the appellee's brief must be filed and served within 14 days after service of the appellant's brief.

Pursuant to Fed. R. Bankr. P. 8009(a)(3), the appellant may serve and file a reply brief within 14 days after service of the appellee's brief.

#### **CROSS-APPEALS - Pursuant to DUCivR 83-2(f)**

##### **(f) Multiple Matters Arising Out of a Single Bankruptcy Case.**

In the event multiple matters arising out of a single bankruptcy case are filed in this court (whether appeals under DUCivR 83-7.9; referrals of indirect criminal contempt of court under DUCivR 83-7.8; withdrawals of the reference of cases, proceedings or contested matters under DUCivR 83-7.4; or otherwise), the first matter will be randomly assigned to a judge of this court, as set forth in subsection (a) above. Thereafter, any and all subsequent matters arising out of the same bankruptcy case will be assigned to the judge of this court to whom the first matter was assigned.

If a Cross-Appeal is filed in the Bankruptcy Court, it will be processed in the District Court as a **new** case filing and will be assigned to the same judge to whom the first matter was assigned.

Please direct any questions to the *United States District Court for the District of Utah* at 801-524-6100.